

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

MICHAEL A. DICICCO, STACEY A.	:	CIVIL ACTION
DICICCO, JOSEPH S. MAGUIRE and	:	
RITA M. MAGUIRE, individually and on	:	
behalf of all others similarly aggrieved	:	
	:	
v.	:	
	:	
CITIZENS FINANCIAL GROUP, INC., et	:	NO. 15-267
al.	:	

ORDER

AND NOW, this 10th day of September, 2015, upon consideration of the Motion to Dismiss Plaintiffs' Second Amended Complaint filed by Defendants Citizen Financial Group, Inc. and Citizens Bank of Pennsylvania (collectively "Citizens") (Docket No. 17), and all documents filed in connection therewith, and after hearing argument on the Motion on July 29, 2015, and for the reasons stated in the accompanying Memorandum, **IT IS HEREBY ORDERED** that the Motion is **GRANTED IN PART** and **DENIED IN PART** as follows:

1. The Motion is **GRANTED** to the extent that it seeks dismissal of Plaintiffs' (a) UTPCPL claim in Count IV, (b) TILA claim in Count III insofar as that claim is grounded on Citizens' alleged non-disclosures, and (c) breach of contract claim in Count II insofar as that claim seeks restitution on the DiCiccios' behalf. Those claims are therefore **DISMISSED**.
2. The Motion is **DENIED** in all other respects.

BY THE COURT:

/s/ John R. Padova, J.

John R. Padova, J.